

JURISDICTION:

DISTRICT OF COLUMBIA

General References:

This chapter summarizes D.C. statutes and regulations related to speed. D.C. Code and Weil's Code of D.C. Municipal Regulations (CDCR)

Basis for a Speed Law Violation:

Basic Speed Rule:

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. D.C. Code §§40-703(a)(6) & 40-712(a) and CDCR 18-22-2200.3

Statutory Speed Limit:

25 MPH D.C. Code §§40-703(a)(6) & 40-712(a) and CDCR 18-22-2200.6
15 MPH in alleys D.C. Code §§40-703(a)(6) & 40-712(a) and CDCR 18-22-2200.7
15 MPH in streets adjacent to school buildings or playgrounds when indicated by official signs D.C. Code §§40-703(a) & 40-712(a) and CDCR 18-22-2200.8 & 18-22-2200.9

Posted (Maximum) Speed Limit:

Based upon engineering and traffic investigations, the statutory speed limits may be increased or decreased on any highway. D.C. Code §§40-703(a) & 40-712(a) and CDCR 18-22-2200.2 Note: D.C. law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.

Minimum Speed Limit:

I. No person shall drive a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic. D.C. Code §40-703(a) and CDCR 18-22-2200.10
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. §40-703(a) and CDCR 18-22-2201.3

Posted (Minimum) Speed Limit:

None

Other:

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

Excepted as Noted Under Miscellaneous Sanctions, All Speed Law Violations are Civil Offenses (Infractions). D.C. Code §40-712(d) and CDCR 18-22-2200.11

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

None

Mandatory Minimum Term:

Sanctions Following an Adjudication of a Speed Law Violation:
(continued)

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Fine:

Amount (& Range):

Violation of Basic Speed Rule-**\$25** CDCR 18-26-2600.1

Violation of the Minimum Speed Rule (Driving at Such a Slow Speed as to Impede or Block Traffic)-**\$15**¹ CDCR 18-26-2600.1

Speed Limit Violations-**\$30 to \$200** The fine imposed depends upon either the extent or type of the speeding offense.² CDCR 18-26-2600.1

Mandatory Min. Fine (\$):

None

Other Penalties:

Traffic School:

Other:

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Suspension or Revocation via the Point System³ D.C. Code §40-302 and CDCR 18-3-303.1 & 18-3-303.3

Term of License Withdrawal
(Days, Months, Years, etc.):

Mandatory Minimum Term of
Withdrawal:

I. Suspension may be from **2 to 90 days** depending upon the seriousness of the offense. CDCR 18-3-306.1

II. Revocation-**6 months** Note: For subsequent offenses, a longer revocation period is possible. However, such period must for a definite period of time. CDCR 18-3-306.4

Miscellaneous Sanctions

¹CDCR 18-26-2600.1 does not contain a specific fine sanction for a violation of CDCR 18-22-2201.3 (Failure to Drive in the Right Lane if Driving at Less than the Normal Speed). Note: Unless modified via regulations promulgated via the D.C. mayor, fines for traffic offenses are equal to the collateral or bond schedule established by the superior court for such offenses. D.C. Code §40-605(a)(1)

²For speed ≤10 MPH over the limit, the fine is \$30. For speed ≥11 MPH but ≤15 MPH over the limit, the fine is \$50. For speed ≥16 MPH but ≤20 MPH over the limit, the fine is \$100. For speed ≥21 MPH but ≤25 MPH over the limit, the fine is \$150. For speed >25 MPH over the limit, the fine is \$200. CDCR 18-26-2600.1

³**Point System.** Under the point system, a person's license can either be suspended if they accumulate 8 points (16 points for drivers who operate motor vehicles for employment purposes) or be revoked if they accumulate 12 points. The following points are assessed for speeding and other speed related traffic law violations: Reckless driving-12 points; speeding in excess of the posted speed limit by 21 MPH or more-5 points; speeding in excess of the posted speed by 16 to 20 MPH-4 points; speeding in excess of the posted speed limit by 11 to 15 MPH-3 points; for all other accident violations-3 points; and, for all other non-accident violations-3 points. CDCR 18-3-303.2(b), (c) & (d), 18-3-303.3, 18-3-303.4 and 18-3-303.5

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Not Included Elsewhere:

Criminal Offense. A person is subject to criminal prosecution if they commit a traffic infraction and have already accumulated 12 or more points on their driving record within previous 18 months. Under such circumstances, they are subject to a jail term of not more than 10 days and/or a fine of not more than \$300. D.C. Code §40-613(a)

Other Criminal Actions Related to Speeding:

Exceeding Speed Limit by 30 MPH:

Sanctions:

Criminal Sanction:

Imprisonment (Term):

Not more than **90 days** CDCR 18-22-32200.12

Mandatory Minimum Term:

None

Fine (\$ Range):

Not more than **\$300** CDCR 18-22-2200.12

Mandatory Minimum Fine:

None

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Suspension or Revocation⁴ D.C. Code §40-302 & CDCR 18-3- 302.3

Length of Term of

Licensing Withdrawal:

I. Suspension-**2 to 90 days** depending upon the seriousness of the offense. CDCR 18-3-306.1

II. Revocation-**6 months** Note: For subsequent offenses, a longer revocation period is possible. However, such period must be for a definite period of time. CDCR 18-3-306.4

III. Five (5) points are assessed against a person's driving record. CDCR 18-3-303.2(f)

Mandatory Action--Minimum

Length of License

Withdrawal:

None

Other:

Assessment. Serious traffic law offenders are required to pay the an assessment of **\$50 (mandatory) to \$250** which is used to finance the Crime Victim's Compensation Fund. D.C. Code §3-436 & *Parrish v. District of Columbia*, 718 A.2d 133 (D.C. 1998)

Reckless Driving⁵:

Sanction:

Criminal:

Imprisonment (Term):

1st offense-Not more than **3 months** Subsequent offense (within 2 years)-
Not more than **1 year** D.C. Code §40-712(c)

Mandatory Minimum Term
of Imprisonment:

None

⁴The licensing agency has discretionary authority to either suspend or revoked a person's license for this offense. CDCR 18-3-302.3

⁵**Full Time and Attention.** A person commits a moving traffic violation if they do not "give full time and attention to the operating of the vehicle." CDCR 18-22-2213.4 There is civil fine of \$25 for a violation of this provision. CDCR 18-26-2600.1 A person is also subject to licensing action via the point system. See Footnote No. 3.

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Fine (\$ Range):	<u>1st offense-Not more than \$250 Subsequent offense (within 2 years)-Not more than \$1,000</u> D.C. Code §40-712(c)
Mandatory Minimum Fine:	None
Administrative Licensing Actions: Type of Licensing Action (Susp/Rev):	Revocation D.C. Code §40-302(a) & CDCR 18-3-301.1(d)

Other Criminal Actions Related to Speeding: (continued)

<u>Reckless Driving:</u> (continued)	
Length of Term of License Withdrawal Action:	<u>1st offense-6 months 2nd offense-1 year Subsequent offense-2 years</u> D.C. Code §40-302 & CDCR 18-3-306.5
Mandatory Term of License Withdrawal Action:	<u>1st offense-6 months 2nd offense-1 year Subsequent offense-2 years</u> D.C. Code §40-302 & CDCR 18-3-306.5
Other:	I. A person is also assessed 12 points against their driving record. See Footnote No. 3. CDCR 18-3-303.2(j) II. Limited Registration Suspension. The registrations of all vehicles owned by a person, who has been convicted of reckless driving involving a personal injury, must be suspended until the offender gives and maintains proof of financial responsibility. D.C. Code §§40-437 & 40-438 III. Assessment. Serious traffic law offenders are required to pay the an assessment of \$50 (mandatory) to \$250 which is used to finance the Crime Victim's Compensation Fund. D.C. Code §3-436 & <i>Parrish v. District of Columbia</i> , 718 A.2d 133 (D.C. 1998)

Commercial Motor Vehicle (CMV) Operators⁶:

<u>Grounds for Disqualification:</u>	A person is disqualified from operating a CMV if while driving such a vehicle they commit 2 or more "serious traffic violations" ⁷ within a 3 year period. D.C. Code §40-1806(a)(4) and CDCR 18-13-1306.1(d) & 18-13-1306.3
<u>Period of Disqualification</u> ⁸ :	<u>2 serious violations</u> (within 3 yeras)- 60 days <u>3 serious violations</u> (within 3 years)- 120 days CDCR 18-13-1306.8
<u>Period of Mandatory Disqualification:</u>	<u>2 serious violations</u> (within 3 years)- 60 days <u>3 serious violations</u> (within 3 years)- 120 days CDCR 18-13-1306.8

⁶A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is designed to transport more than 15 persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. D.C. Code §40-1801(3)

⁷The term "serious traffic violation" is includes exceeding the speed limit by 15 or more MPH or reckless driving. CDCR 18-13-1306.3(a) & (b)

⁸Under D.C. Code §40-1806(b), these disqualification (suspension) periods could be increased to 1 year for a first violation and up to life for subsequent ones.

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